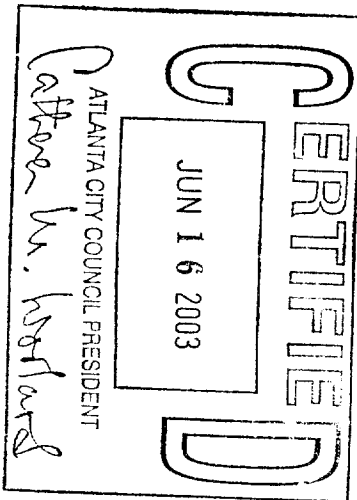


Entered 08-16-02-sb  
CL 02L0592 - GWENDOLYN BURNS

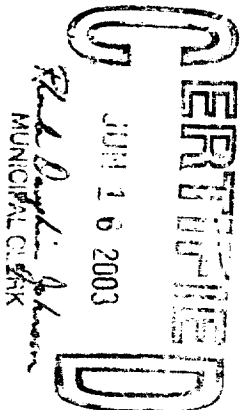
CLAIM OF: EARLENE HOGAN  
through her attorney,  
Jack O. Morse, Esq.  
191 Cleveland Avenue  
Atlanta, Georgia 30315

03-R-0886



For bodily injuries and vehicular damages alleged  
to have been sustained from an automobile accident  
on July 17, 2002 at Glenwood Avenue, SE &  
Boulevard, SE.

THIS ADVERSED REPORT IS  
APPROVED



BY:

JERRY L. BELOACH  
DEPUTY CITY ATTORNEY

ADVERSED BY  
COUNCIL JUN 16 2003

## ADVERSE REPORT

COMM: 6/10/03  
DATE: \_\_\_\_\_  
CHAIR: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
C. T. Marla  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

June 27, 2003

Jack O. Morse  
Attorney at Law  
191 Cleveland Avenue  
Atlanta, GA 30315

03-R-0886

RE: Earlene Hogan

Dear Attorney Morse:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on June 16, 2003. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the City Attorney's Office/Claims Division at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: Claims Division/Law Department

**DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY**

Claim No. 02L0592

Date: May 24, 2003

Claimant /Victim EARLENE HOGAN  
BY: (Atty) (Ins. Co.) Jack O. Morse, Attorney at Law,  
Address: 191 Cleveland Avenue, Atlanta, Georgia 30315  
Subrogation: Claim for Property damage \$ 713.80 Bodily Injury \$ 3,605.00  
Date of Notice: 8/14/02 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) \_\_\_\_\_  
Date of Occurrence 7/17/02 Place: Glenwood Avenue, SE & Boulevard, SE  
Department PUBLIC WORKS Division \_\_\_\_\_ Street Operations \_\_\_\_\_  
Employee involved Ola Green Stephens Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: Claimant alleges that she sustained property damages and bodily injuries when her vehicle was backed into by a City vehicle. However, the claimant has elected to file a lawsuit to resolve the issues of her claim.

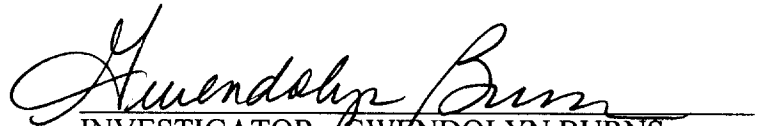
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

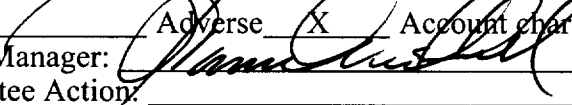
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other X Damages reasonable \_\_\_\_\_  
City not involved \_\_\_\_\_ Offer rejected X Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2P01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 15-27-03  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 4836  
6/16/03  
5:03 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668; 03-O-0669  
                         ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 2

Y Smith	B Archibong	E Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	NV Norwood
Y Young	NV Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4835  
6/16/03  
5:02 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668  
                         RECONSIDER

YEAS:        9  
NAYS:        0  
ABSTENTIONS: 0  
NOT VOTING:  4  
EXCUSED:     1  
ABSENT       2

NV Smith	B Archibong	E Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	NV Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 4815  
6/16/03  
2:28 PM

Atlanta City Council

Regular Session

CONSENT I            PAGES 1-13; EXCEPT: 03-R-0929; 03-O-0693  
                         03-O-0913; 03-O-0668  
                         ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	B Maddox	Y Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

CONSENT I

		6/16/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 03-O-0906 2. 03-O-0911 3. 03-O-0905 4. 03-O-0764 5. 03-O-0914 6. 03-O-0667 7. 03-O-0671 8. 03-O-0839 9. 03-O-0908 10. 03-O-0910 11. 03-O-0912 12. 03-R-0851 13. 03-R-0853 14. 03-R-0854 15. 03-R-0922 16. 03-R-0927 17. 03-R-0928 18. 03-R-0891 19. 03-R-0894 20. 03-R-0921 21. 03-R-0890 22. 03-R-0893 23. 03-R-0895 24. 03-R-0903 25. 03-R-0938 26. 03-R-0848 27. 03-R-0849 28. 03-R-0892 29. 03-R-0918 30. 03-R-0919 31. 03-R-0923 32. 03-R-0924 33. 03-R-0897	34. 03-R-0855 35. 03-R-0856 36. 03-R-0857 37. 03-R-0858 38. 03-R-0859 39. 03-R-0860 40. 03-R-0861 41. 03-R-0862 42. 03-R-0863 43. 03-R-0864 44. 03-R-0865	45. 03-R-0866 46. 03-R-0867 47. 03-R-0868 48. 03-R-0869 49. 03-R-0870 50. 03-R-0871 51. 03-R-0872 52. 03-R-0873 53. 03-R-0874 54. 03-R-0875 55. 03-R-0876 56. 03-R-0877 57. 03-R-0878 58. 03-R-0879 59. 03-R-0880 60. 03-R-0881 61. 03-R-0882 62. 03-R-0883 63. 03-R-0884 64. 03-R-0885 65. 03-R-0886 66. 03-R-0887 67. 03-R-0888

Consent I Vote: 10Yeas; 0Nays: (See RCS #4836)

Items Removed from the Consent Agenda: 03-O-0913; 03-O-0693; 03-O-0668; 03-O-0669; 03-O-0929